

NEBRASKA ADMINISTRATIVE CODE

TITLE 250, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 2

NEBRASKA DEPARTMENT OF MOTOR VEHICLES

RULES AND REGULATIONS GOVERNING REQUESTS FOR AND RELEASE OF
PERSONAL INFORMATION CONTAINED IN MOTOR VEHICLE RECORDS PURSUANT
TO THE UNIFORM MOTOR VEHICLE RECORDS DISCLOSURE ACT, NEB. REV. STAT. §§
60-2901 TO 60-2912.

Issue Date: February 23, 2000

Amendment Date:

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Nebraska Department of Motor Vehicles

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CHAPTER 2 RULES AND REGULATIONS GOVERNING REQUESTS FOR AND RELEASE OF PERSONAL INFORMATION CONTAINED IN MOTOR VEHICLE RECORDS PURSUANT TO THE UNIFORM MOTOR VEHICLE RECORDS DISCLOSURE ACT, NEB. REV. STAT. §§ 60-2901 TO 60-2912.

001 SCOPE. These rules and regulations govern practice and procedure of the Department of Motor Vehicles of the State of Nebraska pursuant to the Uniform Motor Vehicle Records Disclosure Act, Neb. Rev. Stat. §§ 60-2901 to 60-2912.

002 DEFINITIONS.

002.01 Authorized agent means any state or county official/employee authorized to issue a motor vehicle operator's or driver's license or permit, motor vehicle registration, motor vehicle certificate of title, motorboat certificate of title, or state identification card.

002.02 Authorized recipient means any person who receives personal information contained in a motor vehicle record pursuant to the Uniform Motor Vehicle Records Disclosure Act.

002.03 Bulk record, bulk distribution or multiple record means any request for, disclosure of, or redisclosure of personal information from more than one (1) motor vehicle record.

002.04 Department means the Nebraska Department of Motor Vehicles or the duly authorized agents or contractors of the Department responsible to compile and maintain motor vehicle records.

002.05 Disclose means to engage in any practice or conduct to make available and make known personal information contained in a motor vehicle record about a person to any other person, organization, or entity by any means of communication.

002.06 Driving record means any record that pertains to a motor vehicle operator's or driver's license or permit, or state identification card issued by the Department or any other state or local agency authorized to issue any of such forms of credentials.

002.07 Driver identification number means a driver's license number, a title number, or a license plate number.

002.08 Individual record means a motor vehicle record containing personal information about a designated person who is the subject of the record identified in a request.

002.09 Motor vehicle record means any record that pertains to a motor vehicle operator's or driver's license or permit, motor vehicle registration, motor vehicle certificate of title, motorboat certificate of title, or state identification card issued by the Department or any other state or local agency authorized to issue any of such forms of credentials.

002.10 Person means an individual, organization, or entity.

002.11 Personal information means information that identifies a person, including an individual's driver identification number, name, address excluding zip code, and telephone number but does not include information on vehicular accidents, driving or equipment-related violations, and driver's license or registration status.

002.12 Record holder means any person whose personal information appears on a motor vehicle record.

002.13 Redisclose means the disclosure of personal information contained in a motor vehicle record by a person who has received that information pursuant to a request made to the Department or an authorized agent of the Department.

002.14 Requestor means any person requesting disclosure of personal information contained in a motor vehicle record either through examination of a record displayed on a computer monitor or through receipt of a copy of a record in printed or electronic form.

002.15 Sensitive personal information means an individual's operator's license photograph or computerized image, social security number, and medical or disability information.

002.16 Vehicle record means any record that pertains to a motor vehicle registration, motor vehicle certificate of title, or motorboat certificate of title issued by the Department or any other state or local agency authorized to issue any of such forms of credentials.

003 DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN MOTOR VEHICLE RECORDS.

003.01 Disclosure Prohibited, Exceptions. Notwithstanding any other provision of state law to the contrary, the Department and any officer, employee, authorized agent, or contractor of the Department shall not disclose personal information about any person obtained by the Department in connection with a motor vehicle record, except as provided in these rules and regulations.

003.01A If an officer, employee, authorized agent or contractor of the Department acts to disclose personal information contained in a motor vehicle record, the officer, employee, authorized agent or contractor of the Department shall disclose such personal information only upon completion of each of the steps listed in sections 003.03 and 003.04 of these rules and regulations.

003.01B In no event shall any authorized agent or contractor of the Department disclose any personal information contained in a motor vehicle record without first having completed and filed with the Department a Memorandum of Understanding. (*Attachment 1*), attached and incorporated herein by reference.

003.01C In no event shall any officer or employee of the Department disclose any personal information contained in a motor vehicle record without first having completed and filed with the Department a Security and Privacy Requirements form (*Attachment 2*), attached and incorporated herein by reference.

003.02 Compliance with Federal Law or Regulation. Personal information shall be disclosed by the Department or any officer, employee, agent, or contractor of the Department to carry out the purposes of Titles I and IV of the Anti-Car Theft Act of 1992, 15 U.S.C. 2021 et seq., the Automobile Information Disclosure Act, 15 U.S.C. 1231 et seq., the Clean Air Act, 42 U.S.C. 7401 et seq., and 49 U.S.C. chapters 301, 305, and 321 to 331, as amended, and all federal regulations enacted or adopted to implement such federal laws.

003.03 Disclosure, Procedure for Verifying Identity of Requestor. Personal information contained in a motor vehicle record may only be disclosed as follows:

003.03A No personal information from any motor vehicle record identified under section 003.03 of these rules and regulations shall be disclosed without the consent of the record holder unless the identity of the requestor is verified and the purpose of the requestor is verified and is a purpose identified under section 003.04 of these rules and regulations.

003.03A1 The request must be made on a form prepared by the Department under section 005 of these rules and regulations and all of the required sections must be completed;

003.03A2 The identity of the requestor must be verified as follows:

003.03A2a The identity of a person who is making a request in person shall be verified by examination of either a driver's license with a photograph, a Nebraska state identification card with a photograph, a United States passport, a certified United States birth certificate, a professional license with photograph, or a Nebraska state employee identification card with photograph.

003.03A2b The identity of a person who is making a request by mail shall be verified by receipt of an Application for Copy of Driving Record form (*Attachment 3*), an Application for Copy of Vehicle Record form (*Attachment 4*), an Application for Copies of Multiple Driving Records form (*Attachment 5*), or an Application for More Than One Vehicle Record form (*Attachment 6*), with a completed notarization section whereby a notary public, by signature and seal, acknowledges that the request was acknowledged by the requestor in their presence. Attachments 3, 4, 5 and 6 are attached and incorporated herein by reference.

003.03A3 The purpose of the requestor shall be verified by receipt of the signed statement of the requestor on the Application for Copy of Driving Record form (*Attachment 3*), an Application for Copy of Vehicle Record form (*Attachment 4*), an Application for Copies of Multiple Driving Records form (*Attachment 5*), or an Application for More Than One Vehicle Record form (*Attachment 6*), used to make the request. Attachments 3, 4, 5 and 6 are attached and incorporated herein by reference.

003.04 Mandatory Disclosure. Upon the verification of the identity and purpose of a requestor pursuant to section 003.03A2 of these rules and regulations, the Department and any officer, employee, agent, or contractor of the Department having custody of a motor vehicle record, shall disclose and make available the requested motor vehicle record, including the personal information contained in the record, for the following purposes:

003.04A For use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out the agency's functions or by a private person or entity acting on behalf of a governmental agency in carrying out the agency's functions;

003.04B For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts, and dealers; motor vehicle market research activities, including survey research; and removal of nonowner records from the original owner

records of motor vehicle manufacturers;

003.04C For use in the normal course of business by a legitimate business or its agents, employees, or contractors but only:

003.04C1 To verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and

003.04C2 If such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.

003.04D For use in connection with any civil, criminal, administrative or arbitral proceeding in any federal, state, or local court or governmental agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body;

003.04E For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals;

003.04F For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, anti-fraud activities, rating, or underwriting;

003.04G For use in providing notice to the owners of abandoned, towed, or impounded vehicles;

003.04H For use only for a purpose permitted under this section either by a private detective, plain clothes investigator, or private investigative agency licensed under Neb. Rev. Stat. §§ 71-3201 to 71-3213;

003.04I For use by an employer or the employer's agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et seq., or pursuant to Neb. Rev. Stat. §§ 60-4,132 and 60-4,141;

003.04J For use in connection with the operation of private toll transportation facilities;

003.04K For bulk distribution for surveys of, marketing to, or solicitations of persons who

have expressly consented to such disclosure if the requestor has obtained the notarized written consent of the individual who is the subject of the personal information being requested and has provided proof of receipt of such written consent to the Department or an officer, employee, agent, or contractor of the Department on a form prescribed by the Department;

003.04L For any use if the requestor has obtained the notarized written consent of the individual who is the subject of the personal information being requested and has provided proof of receipt of such written consent to the Department or an officer, employee, agent, or contractor of the Department;

003.04M For use, including redisclosure through news publication, of a member of a medium of communication as defined in Neb. Rev. Stat. § 20-145 who requests such information in connection with preparing, researching, gathering, or confirming news information involving motor vehicle or driver safety or motor vehicle theft;

003.04M1 Example. A local nonprofit organization publishes a listing of all license plate numbers and their owners in their county as a fund raising activity. This publication does not qualify as a media exemption because it does not involve motor vehicle or driver safety or motor vehicle theft.

003.04M2 Example. A credit bureau makes available a listing of new title holders for consumer credit purposes. This activity does not qualify as a media exemption because it does not involve motor vehicle or driver safety or motor vehicle theft.

003.04N For any other use specifically authorized by law that is related to the operation of a motor vehicle or public safety; and

003.04O For any use if the request for the record is made by the record holder.

003.05 Payment of Fees. Disclosure of personal information required or permitted under these rules and regulations shall be subject to payment by the requestor to the Department of all fees for the information prescribed by statute.

003.06 Request Maintained. The Department and any officer, employee, authorized agent, or contractor of the Department that receives a request under section 003.03A2 of these rules and regulations shall keep the original of that request or a copy thereof for a period of not less than five (5) years.

003.07 Denial of Request, Procedure. If any request submitted under section 003.03A2 of these

rules and regulations is not met, in whole or in part, the requestor shall receive notice by letter from the Department or authorized agent of the Department acting on that request.

003.07A Said notice shall include:

003.07A1 A description of the contents of the motor vehicle record(s) withheld and a statement of the specific reasons for the denial, correlating specific portions of the records to specific reasons for the denial, including citations to the particular statute and subsection thereof expressly providing the exception under Neb. Rev. Stat. § 84-712.01 relied on as authority for the denial;

003.07A2 The name of the officer, employee or authorized agent of the Department responsible for the decision to deny the request; and

003.07A3 Notification of any administrative or judicial right of review under Neb. Rev. Stat. § 84-712.03.

003.07B The Department, if the notice is issued by an officer or employee thereof, or other public body, if notice is issued by an authorized agent, shall maintain a file of all letters of denial of requests for motor vehicle records. This file shall be made available to any person on request.

003.08 Redislosure of Personal Information Contained in Motor Vehicle Records. Any person receiving personal information contained in a motor vehicle record or records pursuant to section 003.02 or 003.04 of these rules and regulations may redisclose or resell that information only to the extent allowed in this section.

003.08A An authorized recipient of personal information disclosed under section 003.02 or 003.04 of these rules and regulations, except a recipient under section 003.04K of these rules and regulations, may resell or redisclose the information only for the uses permitted under section 003.04 of these rules and regulations, but not including the use for bulk distribution for surveys, marketing, or solicitations as set forth in section 003.04K of these rules and regulations.

003.09B An authorized recipient of personal information for bulk distribution for surveys, marketing, or solicitations under section 003.04K of these rules and regulations may resell or redisclose personal information only in accordance with the terms of such section concerning the right of individuals who have so consented to such disclosure.

003.08C An authorized recipient who resells or redisclodes personal information shall:

003.08C1 Make and keep for a period of not less than five (5) years records identifying each person who received personal information from the authorized recipient and the permitted purpose for which it was obtained; and

003.08C2 Make such records available for inspection and copying by a representative of the Department upon request.

003.08D Any personal information contained in a motor vehicle record that is made part of a court file or otherwise becomes part of a judicial record of a court shall be considered a public record and re-disclosure shall be at the discretion of the court.

004 DISCLOSURE OF SENSITIVE PERSONAL INFORMATION.

004.01 The Department and any officer, employee, agent, or contractor of the Department having custody of a motor vehicle record shall, upon the verification of identity and purpose of a requestor, disclose and make available the requested motor vehicle record, including the sensitive personal information in the record, other than the social security number, for the following purposes:

004.01A For use by the federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out the agency's functions or by a private person or entity acting on behalf of a governmental agency in carrying out the agency's functions;

004.01B For use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, state, or local court or governmental agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body;

004.01C For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, anti-fraud activities, rating, or underwriting; and

004.01D For use by an employer or the employer's agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et seq., or pursuant to sections 60-4,132 and 60-4,141.

005 REQUESTS FOR DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN MOTOR VEHICLE RECORDS.

005.01 Request for Personal Information in a Motor Vehicle Record, Requirements. Any request for disclosure of personal information contained in a motor vehicle record must be made as follows:

005.01A The request must be made on either an Application for Copy of Driving Record form (*Attachment 3*), an Application for Copy of Vehicle Record form (*Attachment 4*), an Application for Copies of Multiple Driving Records form (*Attachment 5*), or an Application for More Than One Vehicle Record form (*Attachment 6*), and must contain a signed statement of the requestor whereby the requestor certifies that the information contained on the motor vehicle record(s) received will only be used as authorized by the Uniform Motor Vehicle Records Disclosure Act and acknowledges that the request is made with the understanding that any person making such a request who misrepresents either their identity or the purpose for the which the information is requested shall be guilty of a Class IV felony. Attachments 3, 4, 5 and 6 are attached and incorporated herein by reference.

005.01B Any person requesting the disclosure of personal information contained in a motor vehicle record must furnish proof of identity as provided in section 003.03A2.

005.02 Request for Individual Record, Requirements. Any request for disclosure of personal information contained in an individual motor vehicle record must be made in writing on a form provided by the Department.

005.02A Driving Records. A request for disclosure of personal information contained in a driving record must be made on an Application for Copy of Driving Record form (*Attachment 3*), attached and incorporated herein by reference, and must contain the following information:

005.02A1 The name of the person who is the subject of the driving record, as it appears on that person's operator's license, permit or state identification card, and that person's date of birth and/or Nebraska driver's license number;

005.02A2 The purpose for which the personal information contained in the driving record requested will be used; and

005.02A3 The requestor's name, business name, and address.

005.02B Vehicle Records. A request for disclosure of personal information contained in a vehicle record must be made on an Application for Copy of Vehicle Record form (*Attachment 4*), attached and incorporated herein by reference, and must contain the following information:

005.02B1 The Vehicle Identification Number (VIN), the license plate number, or the name of the owner of the vehicle that is the subject of the request;

005.02B2 The purpose for which the personal information contained in the vehicle record will be used; and

005.02B3 The requestor's name, business name, and address.

005.02C Request for Disclosure of Personal Information in a Motor Vehicle Record with the Consent of the Record Holder. A person requesting disclosure of personal information in a motor vehicle record who has obtained the consent of the individual who is the subject of that record shall submit proof of that consent as follows:

005.02C1 Consent of the record holder shall be indicated in writing on the appropriate section of either the Application for Copy of Driving Record (*Attachment 3*), attached and incorporated herein by reference, or Application for Copy of Vehicle Record form (*Attachment 4*), attached and incorporated herein by reference, on which the request is made.

005.02C2 The consent section of the Application for Copy of Driving Record (*Attachment 3*), attached and incorporated herein by reference, or Application for Copy of Vehicle Record form (*Attachment 4*), attached and incorporated herein by reference, must bear the signature of the record holder.

005.02C3 The consent section must bear the signature and seal of a notary public whereby said notary public acknowledges that the section was acknowledged by the record holder in the presence of the notary public.

005.03 Bulk Record Request, Requirements. Any request for disclosure of personal information contained in more than one (1) motor vehicle record may be made in writing on an Application for Copies of Multiple Driving Records form (*Attachment 5*), attached and incorporated herein by reference, or an Application for More Than One Vehicle Record form (*Attachment 6*), attached and incorporated herein by reference.

005.03A Driving Records. A request for disclosure of personal information contained in more than one (1) driving record must be made on an Application for Copies of Multiple Driving Records form (*Attachment 5*), attached and incorporated herein by reference, and may contain the following information:

005.03A1 The name of each person for whom a driving record is requested, as it appears on that person's operator's license, permit or state identification card, and that person's date of birth and/or Nebraska driver's license number;

005.03A2 The purpose for which the personal information contained in the driving records requested will be used; and

005.03A3 The requestor's name, business name, and address.

005.03B Vehicle Records. A request for disclosure of personal information contained in more than one (1) vehicle record may be made on an Application for More Than One Vehicle Record form (*Attachment 6*), attached and incorporated herein by reference, and must contain the following information:

005.03B1 The purpose for which the personal information contained in the vehicle record will be used;

005.03B2 The requestor's name, business name, and address; and

005.03B3 The specific vehicle records requested, identified as follows:

005.03B3a A request for more than one (1) specific vehicle record must include the Vehicle Identification Number (VIN), the license plate number, or the name of the owner of each vehicle included in the request;

005.03B3b A request for bulk vehicle records or information on non-specific motor vehicles must include information that identifies the type of vehicle in question.

005.04 Receipt of Records by Contract. Motor vehicle records may be received on a regular basis under a contract with the Department provided that the use is allowed in section 003.04 and if the terms of that contract expressly define the purpose for which the personal information contained in the motor vehicle records will be used, and establish a requirement that the recipient under the contract will keep a record of each person or entity to whom the recipient discloses personal information received from the Department for five (5) years which shall be made available to the Department upon request.

005.05 County Clerks, County Treasurers and County Sheriffs. Access to the Department's records by county clerks, county treasurers and county sheriffs is conditioned upon the execution

of a Memorandum of Understanding (*Attachment 1*) by the county clerks, county treasurers and county sheriffs.

005.06 Department Employees. Access to the Department's records by employees of the Department is conditioned upon the execution of the Security and Privacy Requirements form (*Attachment 2*).

005.07 Misrepresentation in Request for Disclosure of Personal Information Contained in a Motor Vehicle Record, Penalty. Any person requesting the disclosure of personal information from Department records who misrepresents his or her identity or makes a false statement to the Department on any application required to be submitted pursuant to the Uniform Motor Vehicle Record Disclosure Act shall be guilty of a Class IV felony.

006 ADMINISTRATIVE OR JUDICIAL REVIEW. Any person denied any rights granted by Neb. Rev. Stat. §§ 84-712 to 84-712.03 as a result of a decision made by the Department or authorized agent of the Department pursuant to these rules and regulations may seek judicial or administrative review of that decision pursuant to Neb. Rev. Stat. § 84-712.03.

Attachments

Nebraska Department of Motor Vehicles
Uniform Motor Vehicle Records Disclosure Act

Memorandum of Understanding

Revised 5/15/2000

The purpose of this Memorandum of Understanding is to make all agents of the Department of Motor Vehicles who have access to the Driver History Query System and the Vehicle Title and Registration Information System aware of the controls that are necessary to ensure that the Department adheres to the requirements of the Uniform Motor Vehicle Records Disclosure Act.

Information Protected

Under the Act, as revised on June 1, 2000, the Department is required to protect the personal information and sensitive personal information on all motor vehicle records.

- Personal information includes: an individual's driver identification number (driver's license number, license plate number or title number); name; address, excluding zip code; and telephone number.
- Sensitive personal information includes an individual's operator's license photo or image; social security number; and medical or disability information.

Personal information from a motor vehicle record shall not be given out unless requested for an exempted use, as outlined below, on a DMV specified form.

Personal information exempted uses include:

- ◆ Use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out its functions, or by any private entity acting on behalf of an agency in carrying out their functions.
- ◆ Use in connection with vehicle or driver safety and theft; vehicle emissions; vehicle product alterations, recalls or advisories; performance monitoring of vehicles, vehicle parts, and dealers; motor vehicle market research activities and survey research; and removal of nonowner records from the original owner records of motor vehicle manufacturers.
- ◆ Use in normal course of business by a legitimate business to verify accuracy of information submitted by an individual or business; or to obtain correct information if the above is not correct or no longer correct, for the purpose of preventing fraud, pursuing legal remedies against or recovering on a debt or security interest against the record holder.
- ◆ Use in connection with a civil, criminal, administrative or arbitral proceeding in any federal, state or local court, government agency, or self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgment; or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body.
- ◆ Use in research activities and statistical reports, as long as personal information is not published,

redisclosed or used to contact individuals.

- ◆ Use by any insurer/insurance support organization or by a self-insured entity in connection with claims investigation activities, anti-fraud activities, rating or underwriting.
- ◆ Use in providing notice to owners of abandoned, towed or impounded vehicles.
- ◆ Use by a private detective, plain clothes investigator, or private investigative agency licensed under Neb. Rev. Stat. 71-3201 to 71-3213 for purposes permitted under this act.

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- ◆ Use by an employer, employer's agent or insurer, to obtain or verify information of a Commercial Driver's License holder.
- ◆ Use in connection with the operation of private toll transportation facilities.
- ◆ Any use if requestor has notarized consent of the record holder and has provided proof of such consent to the Department, as indicated on the front of this form.
- ◆ Use, including redisclosure through news publication, for a member of a medium of communication as defined in Neb. Rev. Stat. 20-145, in connection with news involving motor vehicle or driver safety or vehicle theft.
- ◆ Any use if the request for the record is made by the record holder.

Sensitive personal information exempted uses include*:

- ◆ Use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out its functions, or by any private entity acting on behalf of an agency in carrying out their functions.
- ◆ Use in connection with a civil, criminal, administrative or arbitral proceeding in any federal, state or local court, government agency, or self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgment; or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body.
- ◆ Use by any insurer/insurance support organization or by a self-insured entity in connection with claims investigation activities, anti-fraud activities, rating or underwriting.
- ◆ Use by an employer, employer's agent or insurer, to obtain or verify information of a Commercial Driver's License holder.

Disclosure of Information/Record Keeping Requirements

Before any personal information or sensitive personal information is disclosed from a motor vehicle record, the employee or County Official that is disclosing the information must verify that the use listed on the request is an exempted use under the Act and must verify the identity of the person making the request by examining an approved form of identification. Copies of these request forms shall be maintained in your office for 5 years; and available for inspection by DMV upon request.

Penalties

You should be aware of the following penalties that apply for unauthorized access to DMV records:

- For each day of non-compliance the Department may be subject to a \$5,000 fine. Non-compliance may include one record being disclosed improperly.
- Any person requesting the disclosure of personal information from Department records who misrepresents his/her identity or makes a false statement to the Department on any record request shall be guilty of a Class IV felony.

Certification of Understanding

I certify that I have read and acknowledge the foregoing Memorandum of Understanding and agree to notify all employees in my office of these requirements.

(printed name)

County Name

(signature)

Office (i.e. County Clerk)

(date)

*Release of an individual's social security number is further restricted in § 60-484(7). Release can only be for the following reasons: to furnish driver record information to the United States Selective Service System; in connection with the verification of the status of an individual's driving record; or for purposes of child support enforcement. Release of an individual's medical or disability information is further restricted in § 84-712.05(2). Release can only be under the following: court order (include subpoena, search warrant); or with notarized written consent of the record holder.

Nebraska Department of Motor Vehicles
Uniform Motor Vehicle Records Disclosure Act
Security and Privacy Requirements

Revised 5/15/2000

The purpose of this Security and Privacy Requirements statement is to make all employees who have access to the Driver License Information System, Vehicle Title and Registration Information System and/or the IRP Registration File System aware of the controls that are necessary to ensure that the Department adheres to the requirements of the Uniform Motor Vehicle Records Disclosure Act.

Information Protected

Under the Act, as revised on June 1, 2000, the Department is required to protect the personal information and sensitive personal information on all motor vehicle records.

- Personal information includes: an individual's driver identification number (driver's license number, license plate number or title number); name; address, excluding zip code; and telephone number.
- Sensitive personal information includes an individual's operator's license photo or image; social security number; and medical or disability information.

Personal information from a motor vehicle record shall not be given out unless requested for an exempted use, as outlined below, on a DMV specified form.

Personal information exempted uses include:

- ◆ Use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out its functions, or by any private entity acting on behalf of an agency in carrying out their functions.
- ◆ Use in connection with vehicle or driver safety and theft; vehicle emissions; vehicle product alterations, recalls or advisories; performance monitoring of vehicles, vehicle parts, and dealers; motor vehicle market research activities and survey research; and removal of nonowner records from the original owner records of motor vehicle manufacturers.
- ◆ Use in normal course of business by a legitimate business to verify accuracy of information submitted by an individual or business; or to obtain correct information if the above is not correct or no longer correct, for the purpose of preventing fraud, pursuing legal remedies against or recovering on a debt or security interest against the record holder.
- ◆ Use in connection with a civil, criminal, administrative or arbitral proceeding in any federal, state or local court, government agency, or self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgment; or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body.

- ◆ Use in research activities and statistical reports, as long as personal information is not published, redisclosed or used to contact individuals.
- ◆ Use by any insurer/insurance support organization or by a self-insured entity in connection with claims investigation activities, anti-fraud activities, rating or underwriting.
- ◆ Use in providing notice to owners of abandoned, towed or impounded vehicles.
- ◆ Use by a private detective, plain clothes investigator, or private investigative agency licensed under Neb. Rev. Stat. 71-3201 to 71-3213 for purposes permitted under this act.
- ◆ Use by an employer, employer's agent or insurer, to obtain or verify information of a Commercial Driver's License holder.
- ◆ Use in connection with the operation of private toll transportation facilities.

- ◆ Any use if requestor has notarized consent of the record holder and has provided proof of such consent to the Department, as indicated on the front of this form.
- ◆ Use, including redisclosure through news publication, for a member of a medium of communication as defined in Neb. Rev. Stat. 20-145, in connection with news involving motor vehicle or driver safety or vehicle theft.
- ◆ Any use if the request for the record is made by the record holder.

Sensitive personal information exempted uses include*:

- ◆ Use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out its functions, or by any private entity acting on behalf of an agency in carrying out their functions.
- ◆ Use in connection with a civil, criminal, administrative or arbitral proceeding in any federal, state or local court, government agency, or self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgment; or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body.
- ◆ Use by any insurer/insurance support organization or by a self-insured entity in connection with claims investigation activities, anti-fraud activities, rating or underwriting.
- ◆ Use by an employer, employer's agent or insurer, to obtain or verify information of a Commercial Driver's License holder.

Disclosure of Information

Before any personal information or sensitive personal information is disclosed from a motor vehicle record, the employee that is disclosing the information must verify that the request is on a form prepared by the Department and that the use listed on the request is an exempted use under the act, and must verify the identity of the person making the request by examining an approved form of identification.

Penalties

You should be aware of the following penalties that apply for unauthorized access to DMV records:

- For each day of non-compliance the Department may be subject to a \$5,000 fine. Non-compliance may include one record being disclosed improperly.

- Any person requesting the disclosure of personal information from Department records who misrepresents his/her identity or makes a false statement to the Department on any record request shall be guilty of a Class IV felony.
- Any employee who knowingly and willingly discloses personal information without following the guidelines set forth by the Department may be subject to disciplinary action.

Certification of Understanding

I certify that I have read and understand the foregoing and agree to comply with the requirements of the Uniform Motor Vehicle Records Disclosure Act.

(printed name)

(signature)

(date)

*Release of an individual's social security number is further restricted in § 60-484(7). Release can only be for the following reasons: to furnish driver record information to the United States Selective Service System; in connection with the verification of the status of an individual's driving record; or for purposes of child support enforcement. Release of an individual's medical or disability information is further restricted in § 84-712.05(2). Release can only be under the following: court order (include subpoena, search warrant); or with notarized written consent of the record holder.

The availability of records is subject to the provisions of the Uniform Motor Vehicle Records Disclosure Act.

If filing this request in person, be prepared to furnish us with proof of identification. If filing this request through the mail, your signature must be notarized and the appropriate fees included, or the request will be returned to you unprocessed.

EASE PRINT -- Shaded portion of form MUST be completed in full. -- \$3.00 Per Record

ime (as appears on driver's license): _____

ite of Birth: _____ Nebraska Driver's License Number: _____

ame and Date of Birth OR Name and Nebraska Driver's License Number must be supplied before a record check can be done.

r what purpose will this record be used? (See reverse side for additional information) _____

questor's Name: _____

Business Name: _____

Address: _____

City, State, Zip: _____

ider penalty of law, the undersigned certifies that the information contained on the driving record being purchased will ly be used as authorized by the Uniform Motor Vehicle Records Disclosure Act. The undersigned hereby knows that this request is made with the understanding that any person requesting disclosure of personal information from the Department of Motor Vehicle records who misrepresents his or her identity, misrepresents the purpose for which the information requested will be used, or otherwise makes a false statement on this Application shall be guilty of a class IV felony.

questor's Signature: _____ Date: _____

Signature must be notarized in the area below, if filing this request through the mail.

e Department of Motor Vehicles is prohibited from disclosing the information on the record you are requesting unless purpose indicated above is for an exempt use (see reverse side for a list of exempt uses) or you have obtained the notarized written consent of the record holder on this form as provided for below.

_____ hereby authorize .

obtain a copy of my motor vehicle record as described above.

Signature of Record Holder: _____

ate of _____

ounty of _____

e foregoing signature of the requestor was
acknowledged before me this _____
day of _____

State of _____

County of _____

The foregoing signature of the record holder was
acknowledged before me
this _____
day of _____

<div> <div>Notary or Designated County Official</div> <div>Seal</div> </div>	<div> <div>Notary or Designated County Official</div> <div>Seal</div> </div>
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<div>Notary or Designated County Official</div> <div>Seal</div>	<div>Notary or Designated County Official</div> <div>Seal</div>
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<div>Notary or Designated County Official</div> <div>Seal</div>	<div>Notary or Designated County Official</div> <div>Seal</div>
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<div>Notary or Designated County Official</div> <div>Seal</div>	<div>Notary or Designated County Official</div> <div>Seal</div>
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Return to: DMV Driver and Vehicle Records Division
301 Centennial Mall South A stamped self-addressed envelope is required for all mail-in requests.
P. O. Box 94789
Lincoln, NE 68509-04789
Phone: 402-471-4343 *printed with soy ink on recycled paper* *DMV 07-06 Rev 5/00*

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301 Centennial Mall South A stamped self-addressed envelope is required for all mail-in requests.
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The exempted uses permitted under the Uniform Motor Vehicle Records Disclosure Act are as follows:

- ◆ Use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out its functions, or by any private entity acting on behalf of an agency in carrying out their functions.
- ◆ Use in connection with vehicle or driver safety and theft; vehicle emissions; vehicle product alterations, recalls or advisories; performance monitoring of vehicles, vehicle parts, and dealers; motor vehicle market research activities and survey research; and removal of nonowner records from the original owner records of motor vehicle manufacturers.
- ◆ Use in normal course of business by a legitimate business to verify accuracy of information submitted by an individual or business; or to obtain correct information if the above is not correct or no longer correct, for the purpose of preventing fraud, pursuing legal remedies against or recovering on a debt or security interest against the record holder.
- ◆ Use in connection with a civil, criminal, administrative or arbitral proceeding in any federal, state or local court, government agency, or self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgment; or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body.
- ◆ Use in research activities and statistical reports, as long as personal information is not published, redisclosed or used to contact individuals.
- ◆ Use by any insurer/insurance support organization or by a self-insured entity in connection with claims investigation activities, anti-fraud activities, rating or underwriting.
- ◆ Use in providing notice to owners of abandoned, towed or impounded vehicles.
- ◆ Use by a private detective, plain clothes investigator, or private investigative agency licensed under Neb. Rev. Stat. 71-3201 to 71-3213 for purposes permitted under this act.
- ◆ Use by an employer, employer's agent or insurer, to obtain or verify information of a Commercial Driver's License holder.
- ◆ Use in connection with the operation of private toll transportation facilities.
- ◆ Any use if requestor has notarized consent of the record holder and has provided proof of such consent to the Department, as indicated on the front of this form.
- ◆ Use, including redisclosure through news publication, for a member of a medium of communication as defined in Neb. Rev. Stat. 20-145, in connection with news involving motor vehicle or driver safety or vehicle theft.
- ◆ Any use if the request for the record is made by the record holder.

Redisclosure

A recipient of a motor vehicle record may only resell or redisclose the information obtained if for one of the uses permitted under the Uniform Motor Vehicle Records Disclosure Act. You shall make and keep for 5 years, records identifying each person to whom you redisclosed the information and the permitted purpose for which it was redisclosed. These records shall be made available for inspection and copying by a representative of the Department of Motor Vehicles upon request.

{

STATE OF NEBRASKA

APPLICATION FOR COPY OF VEHICLE RECORD

DEPARTMENT OF
MOTOR VEHICLES

250 NAC 2 ATTACHMENT 4

If filing this request in person, be prepared to furnish us with proof of identification. If filing this request through the mail, your signature must be notarized and the appropriate fees included, or the request will be returned to you unprocessed.

PLEASE
PRINT

The availability of records is subject to the provisions under the Uniform Motor Vehicle Records Disclosure Act.

ad
y
cc mplete
lines
①,
②, or
③ for a
search.

① License Plate Number

② Vehicle Identification Number (VIN) or Hull Identification Number (HIN)

③ Name(s) of Vehicle Owner(s)

Vehicle Make

Year

\$1.00 Per Record

*EACH RECORD CONTAINS
CURRENT TITLE, LIEN AND
REGISTRATION
INFORMATION.*

Shaded portion below MUST be completed in full.

For what purpose will this record be used? (*See reverse side.*) _____

Requestor's Name _____

Business Name _____

Address _____

City, State, Zip _____

Under penalty of law, the undersigned certifies that the information contained on the vehicle record being purchased will only be used as authorized by the Uniform Motor Vehicle Records Disclosure Act. The undersigned hereby acknowledges that this request is made with the understanding that any person requesting disclosure of personal information from the Department of Motor Vehicles records who misrepresents his or her identity, misrepresents the purpose for which the information requested will be used, or otherwise makes a false statement on this Application shall be guilty of a Class IV felony.

Requestor's Signature _____

Date _____

(Signature must be notarized in the area below, if filing this request through the mail.)

The Department of Motor Vehicles is prohibited from disclosing the information on the record you are requesting unless the purpose indicated above is for an exempt use (*see reverse side for list of exempt uses*) or you have obtained the notarized written consent of the record holder on this form as provided for below.

I, _____, hereby authorize _____,
to obtain a copy of my motor vehicle record as described above.

Signature of Record Holder _____

State of _____
County of _____

State of _____
County of _____

The foregoing signature of the *requestor* was
acknowledged before me this d _____

The foregoing signature of the *record holder* was
acknowledged before me this da _____

Notary or Designated County Official Signature _____

Notary or Designated County Official Signature _____

Return to: Titles and Registrations

Department of Motor
Vehicles

P.O. Box 94789
Lincoln, NE 68509-
4789

A stamped, self-addressed envelope is required for all mail-in requests.

Phone: 402-471-3918 *printed on recycled paper* DMV Rev. 5/00

The exempted uses permitted under the Uniform Motor Vehicle Records Disclosure Act are as follows:

- ◆ Use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out its functions, or by any private entity acting on behalf of an agency in carrying out their functions.
- ◆ Use in connection with vehicle or driver safety and theft; vehicle emissions; vehicle product alterations, recalls or advisories; performance monitoring of vehicles, vehicle parts, and dealers; motor vehicle market research activities and survey research; and removal of nonowner records from the original owner records of motor vehicle manufacturers.
- ◆ Use in normal course of business by a legitimate business to verify accuracy of information submitted by an individual or business; or to obtain correct information if the above is not correct or no longer correct, for the purpose of preventing fraud, pursuing legal remedies against or recovering on a debt or security interest against the record holder.
- ◆ Use in connection with a civil, criminal, administrative or arbitral proceeding in any federal, state or local court, government agency, or self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgment; or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body.
- ◆ Use in research activities and statistical reports, as long as personal information is not published, redisclosed or used to contact individuals.
- ◆ Use by any insurer/insurance support organization or by a self-insured entity in connection with claims investigation activities, anti-fraud activities, rating or underwriting.
- ◆ Use in providing notice to owners of abandoned, towed or impounded vehicles.
- ◆ Use by a private detective, plain clothes investigator, or private investigative agency licensed under Neb. Rev. Stat. 71-3201 to 71-3213 for purposes permitted under this act.
- ◆ Use by an employer, employer's agent or insurer, to obtain or verify information of a Commercial Driver's License holder.
- ◆ Use in connection with the operation of private toll transportation facilities.
- ◆ Any use if requestor has notarized consent of the record holder and has provided proof of such consent to the Department, as indicated on the front of this form.
- ◆ Use, including redisclosure through news publication, for a member of a medium of communication as defined in Neb. Rev. Stat. 20-145, in connection with news involving motor vehicle or driver safety or vehicle theft.
- ◆ Any use if the request for the record is made by the record holder.

Redisdisclosure

A recipient of a motor vehicle record may only resell or redisclose the information obtained if for one of the uses permitted under the Uniform Motor Vehicle Records Disclosure Act. You shall make and keep for 5 years, records identifying each person to whom you redisclosed the information and the permitted purpose for which it was redisclosed. These records shall be made available for inspection and copying by a representative of the Department of Motor Vehicles upon request.

APPLICATION FOR COPIES OF MULTIPLE DRIVING RECORDS

The availability of records is subject to the provisions of the Uniform Motor Vehicle Records Disclosure Act.

When requesting multiple copies of driving records, complete this form and attach a list of the names, dates of birth and/or driver's license numbers of those individuals whose record you are requesting. Please keep in mind, this request form and your list will not be returned to you with your records. The Department is required to keep the request on file. When requesting 7 records or more, the records will be processed and ready the next business day after receipt in our office.

If filing this request in person, be prepared to furnish us with proof of identification. If filing this request through the mail, your signature must be notarized and the appropriate fees included, or the request will be returned to you unprocessed.

PLEASE PRINT

-- Shaded portion of form MUST be completed in full. --

\$3.00 Per Record

For what purpose will these records be used (see reverse side for additional information)? _____

Requestor's Name: _____

(please print)

Business Name: _____

Address: _____

City, State, Zip: _____

Under penalty of law, the undersigned certifies that the information contained on the driving record(s) being purchased will only be used as authorized by the Uniform Motor Vehicle Records Disclosure Act. The undersigned hereby acknowledges that this request is made with the understanding that any person requesting disclosure of personal information from the Department of Motor Vehicle records who misrepresents his or her identity, misrepresents the purpose for which the information requested will be used, or otherwise makes a false statement on this Application shall be guilty of a class IV felony.

Requestor's Signature: _____ Date: _____

Note: If the purpose indicated above is not an exempt use (see reverse side for a list of exempt uses), you are required to obtain the notarized written consent of the record holders of the records you are requesting. To do so, you must use form DMV 07-06, the Application for Copy of Driving Record.

Notarization required for mail requests only.

State of _____

County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, _____.

Notary or Designated County Official Signature

Seal

Return to: DMV Driver and Vehicle Records Division

P. O. Box 94789

Lincoln, NE 68509-4789

Phone: 402-471-4343

A stamped self-addressed envelope is required for all mail-in requests.

printed with soy ink on recycled paper

DMV

07-06a Rev 05/00

The exempted uses permitted under the Uniform Motor Vehicle Records Disclosure Act are as follows:

- ◆ Use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out its functions, or by any private entity acting on behalf of an agency in carrying out their functions.
- ◆ Use in connection with vehicle or driver safety and theft; vehicle emissions; vehicle product alterations, recalls or advisories; performance monitoring of vehicles, vehicle parts, and dealers; motor vehicle market research activities and survey research; and removal of nonowner records from the original owner records of motor vehicle manufacturers.
- ◆ Use in normal course of business by a legitimate business to verify accuracy of information submitted by an individual or business; or to obtain correct information if the above is not correct or no longer correct, for the purpose of preventing fraud, pursuing legal remedies against or recovering on a debt or security interest against the record holder.
- ◆ Use in connection with a civil, criminal, administrative or arbitral proceeding in any federal, state or local court, government agency, or self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgment; or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body.
- ◆ Use in research activities and statistical reports, as long as personal information is not published, redisclosed or used to contact individuals.
- ◆ Use by any insurer/insurance support organization or by a self-insured entity in connection with claims investigation activities, anti-fraud activities, rating or underwriting.
- ◆ Use in providing notice to owners of abandoned, towed or impounded vehicles.
- ◆ Use by a private detective, plain clothes investigator, or private investigative agency licensed under Neb. Rev. Stat. 71-3201 to 71-3213 for purposes permitted under this act.
- ◆ Use by an employer, employer's agent or insurer, to obtain or verify information of a Commercial Driver's License holder.
- ◆ Use in connection with the operation of private toll transportation facilities.
- ◆ Any use if requestor has notarized consent of the record holder and has provided proof of such consent to the Department, as indicated on the front of this form.
- ◆ Use, including redisclosure through news publication, for a member of a medium of communication as defined in Neb. Rev. Stat. 20-145, in connection with news involving motor vehicle or driver safety or vehicle theft.
- ◆ Any use if the request for the record is made by the record holder.

Redisclosure

A recipient of a motor vehicle record may only resell or redisclose the information obtained if for one of the uses permitted under the Uniform Motor Vehicle Records Disclosure Act. You shall make and keep for 5 years, records

identifying each person to whom you redisclosed the information and the permitted purpose for which it was redisclosed.

These records shall be made available for inspection and copying by a representative of the Department of Motor Vehicles upon request.

APPLICATION FOR MORE THAN ONE VEHICLE RECORD

The availability of records is subject to the provisions of the Uniform Motor Vehicle Records Disclosure Act.

When requesting more than one vehicle record, you may complete this form and attach a list of the license plate numbers, vehicle identification numbers (VIN) or names of vehicle owners of the records you are requesting. Please keep in mind, this request form and your list will not be returned to you with your records. The Department is required to keep the request on file.

If filing this request in person, be prepared to furnish us with proof of identification. If filing this request through the mail, your signature must be notarized and the appropriate fees included, or the request will be returned to you unprocessed.

PLEASE PRINT

-- Shaded portion of form MUST be completed in full. --

\$1.00 Per Record

For what purpose will these records be used (see reverse side for additional information)? _____

Requestor's Name: _____
(please print)

Business Name: _____

Address: _____

City, State, Zip: _____

Under penalty of law, the undersigned certifies that the information contained on the vehicle records being purchased will only be used as authorized by the Uniform Motor Vehicle Records Disclosure Act. The undersigned hereby acknowledges that this request is made with the understanding that any person requesting disclosure of personal information from the Department of Motor Vehicle records who misrepresents his or her identity, misrepresents the purpose for which the information requested will be used, or otherwise makes a false statement on this Application shall be guilty of a class IV felony.

Requestor's Signature: _____ Date: _____

Note: If the purpose indicated above is not an exempt use (see reverse side for a list of exempt uses), you are required to obtain the notarized written consent of the record holders of the records you are requesting. To do so, you must use the Application for Copy of Vehicle Record.

Notarization required for mail requests only.

State of _____

County of _____

The foregoing instrument was acknowledged before me this _____ day of _____,

Notary or Designated County Official Signature

Seal

Return to: Driver and Vehicle Records Division

Department of Motor Vehicles

P. O. Box 94789

Lincoln, NE 68509-4789

requests. A stamped self-addressed envelope is required for all mail-in

printed with soy ink on recycled paper

Rev 05/00

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- ◆ Use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out its functions, or by any private entity acting on behalf of an agency in carrying out their functions.
- ◆ Use in connection with vehicle or driver safety and theft; vehicle emissions; vehicle product alterations, recalls or advisories; performance monitoring of vehicles, vehicle parts, and dealers; motor vehicle market research activities and survey research; and removal of nonowner records from the original owner records of motor vehicle manufacturers.
- ◆ Use in normal course of business by a legitimate business to verify accuracy of information submitted by an individual or business; or to obtain correct information if the above is not correct or no longer correct, for the purpose of preventing fraud, pursuing legal remedies against or recovering on a debt or security interest against the record holder.
- ◆ Use in connection with a civil, criminal, administrative or arbitral proceeding in any federal, state or local court, government agency, or self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgment; or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body.
- ◆ Use in research activities and statistical reports, as long as personal information is not published, redisclosed or used to contact individuals.
- ◆ Use by any insurer/insurance support organization or by a self-insured entity in connection with claims investigation activities, anti-fraud activities, rating or underwriting.
- ◆ Use in providing notice to owners of abandoned, towed or impounded vehicles.
- ◆ Use by a private detective, plain clothes investigator, or private investigative agency licensed under Neb. Rev. Stat. 71-3201 to 71-3213 for purposes permitted under this act.
- ◆ Use by an employer, employer's agent or insurer, to obtain or verify information of a Commercial Driver's License holder.
- ◆ Use in connection with the operation of private toll transportation facilities.
- ◆ Any use if requestor has notarized consent of the record holder and has provided proof of such consent to the Department, as indicated on the front of this form.
- ◆ Use, including redisclosure through news publication, for a member of a medium of communication as defined in Neb. Rev. Stat. 20-145, in connection with news involving motor vehicle or driver safety or vehicle theft.
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by a representative of the Department of Motor Vehicles upon request.